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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,515	07/24/2003	Yoshinao Kondoh	053588-5015	9028
9629	7590	10/20/2004	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			NGUYEN, THINH H	
			ART UNIT	PAPER NUMBER
			2861	

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/625,515	Applicant(s) KONDOH ET AL.	
	Examiner Thinh H Nguyen	Art Unit 2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-23 is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-8 is/are rejected.
- 7) ☒ Claim(s) 5 and 9-13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/24/03</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 6-8 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kubota et al. (U.S.6,543,892)

Kubota (fig.15) discloses every element of the instant claimed printhead comprising plural recording elements that are divided into plural blocks and driven per divided block;

an input unit for inputting an initial value of a selection order of the blocks in order to drive the recording elements; and

a selection unit that selects, on the basis of the inputted initial value, the blocks for driving the recording elements according to the selection order of the blocks;

wherein the selection unit includes a repeat selection unit that autonomously and periodically repeats the selection order using an inputted signal;

wherein the repeat selection unit includes a synthesizing unit (characterized by data generator 301 and pulse generator 302) that generates a synthesized signal in

which enable signals of the recording elements are synthesized, and autonomously and periodically repeats the selection order using the synthesized signal;

wherein the repeat selection unit includes a counter (see counter 401 of timing unit 305) that successively counts the initial value in accordance with an inputted clock signal;

a memory unit (characterized by shift register 1104, fig.14) that keeps the initial value and outputs the kept initial value to the selection unit; wherein, when a new initial value is inputted to the memory unit, the memory unit updates the initial value to the new initial value.

Allowable Subject Matter

3. Claims 5, 9-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
4. Claims 14-23 are allowed.
5. The following is a statement of reasons for the indication of allowable subject matter: the teaching relied upon by the Examiner do not suggest a setting unit that sets a first initial value defining a selection order of the blocks corresponding to positions of the drive elements of the recording elements of the first printhead and sets a second initial value defining a selection order of the blocks corresponding to a displacement amount of positions of the drive elements of the recording elements of the second printhead with respect to positions of the drive elements of the recording elements of

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the first printhead. These limitations are neither suggested nor taught by the prior art of record, alone or in combination as claimed.

Pertinent Prior art

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2001/0045967 A1 to Hayasaki.

US 2002/0118241 A1 to Fujii.

Patent Application Information Retrieval (PAIR)

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Contact Information

8. Any inquiry concerning this communication should be directed to examiner Thinh Nguyen at telephone number (571) 272-2257. The examiner can generally be reached Mon-Wed, and Thurs from 9:00A – 5:00P. The official fax phone number for the organization is (703) 872-9306.

The examiner supervisor, Stephen Meier, can also be reached at (571) 272-2149.

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 308-1782.



Thinh Nguyen
October 2, 2004

**Thinh Nguyen
Primary Examiner
Technology Center 2800**